

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Timothy E. Grib and Michael A. Brown**
Assignee: **WITEL COMMUNICATIONS GROUP, INC.**
Application No.: **09/964,232** Group No.: **2143**
Filed: **September 26, 2001** Examiner: **Kyung H. Shin**
For: **METHOD AND APPARATUS FOR PERFORMANCE MEASUREMENT OF
DIFFERENT NETWORK ROUTES BETWEEN DEVICES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
(37 C.F.R. § 41.31)**

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed October 28, 2008, rejecting claims 1-29.

1. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 41.20(b)(1), the fee for filing the Notice of Appeal is:

Other than a small entity: **\$540.00**

Notice of Appeal fee due for small entity: **\$540.00**

3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R.1.136 apply.

Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for 1 month:

Fee: \$130.00

If an additional extension of time is required, please consider this a petition therefore.

4. TOTAL FEE DUE

The total fee due is:

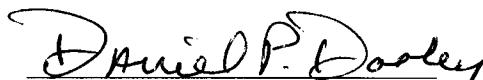
Notice of Appeal fee \$540.00
Extension Fee: \$130.00
TOTAL FEE DUE \$670.00

5. FEE PAYMENT

Authorization is hereby made to charge the amount of **\$670.00** to credit card as shown on the attached electronic authorization.

Respectfully submitted,

Date: 2-27-2009



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